

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

ZACHARY WOOTEN,

Plaintiff,

v.

BNSF RAILWAY COMPANY,

Defendant.

CV 16-139-M-DLC-JCL

**AGREED PROTECTIVE
ORDER**

AGREED PROTECTIVE ORDER

The parties to this action, Plaintiff Zachary Wooten (“Wooten”) and Defendant BNSF Railway Company (“BNSF”), hereby stipulate and agree to the protection of certain documents and information filed under seal in the above-styled and numbered cause as follows:

IT IS THEREFORE ORDERED that:

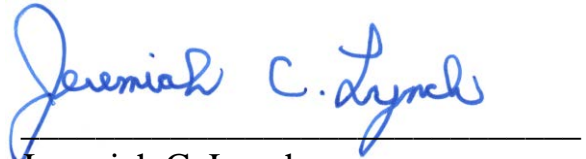
1. Wooten has agreed to keep confidential certain BNSF documents in his possession that have been filed under seal with the Court at Clerk’s Dkt. Nos. 76 and 76-1, as well as the transcripts from the January 9, 2018, and January 26, 2018, depositions of Michael Hart in the above-captioned matter (jointly referred to as the “subject documents”). This Agreed Protective Order shall govern such documents.

2. Wooten and Wooten’s counsel shall not disclose or disseminate the subject documents to any person other than:

- A. BNSF or Wooten;
- B. Attorneys for BNSF or Wooten retained for representation regarding this litigation and their paralegal, secretarial and clerical staffs;
- C. Court reporters, the Court, and Court personnel; and,
- D. Witnesses and deponents in this action and other litigation whose review of the subject documents is necessary for such matter, provided that such persons are (a) informed of and given a copy of this Order, (b) informed that they must comply with it, (c) informed that, except as consistent with this Order, they may not disclose or disseminate the documents or their contents to third parties, and (d) they agree, in a signed writing, to comply with this Order.

3. None of the subject documents may be used by any of the individuals listed in paragraph 2 for any purpose except in connection with this present lawsuit or as permitted in subsection 2(D), except that Plaintiff's counsel may file the subject documents under seal in other litigation if counsel provides notice, prior to disclosure, to the Court and BNSF, through its counsel, in a sealed notice filing.

DATED this 16th day of March, 2018.



Jeremiah C. Lynch
United States Magistrate Judge